

**IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF WEST VIRGINIA
WHEELING DIVISION**

MARK MCEVOY, et al., individually and
on behalf of a proposed class,

Plaintiffs,

v.

Civil Action No. 5:22-cv-171
The Honorable John P. Bailey

DIVERSIFIED ENERGY COMPANY PLC,
et al.,

Defendants.

STIPULATION OF DISMISSAL OF DEFENDANTS
EQM MIDSTREAM PARTNERS LP, F/K/A EQT MIDSTREAM PARTNERS, AND
EQGP HOLDINGS LP F/K/A EQT GP HOLDINGS, LP PURSUANT TO FEDERAL
RULE OF CIVIL PROCEDURE 41(a)(1)(A)(ii)

Pursuant to FRCP 41(a)(1)(A)(ii), all Parties to this action hereby stipulate to the dismissal of the claims by Plaintiffs against EQM Midstream Partners, LP f/k/a EQT Midstream Partners, LP and EQGP Holdings LP, f/k/a EQT GP Holdings, LP. The Parties further stipulate that Plaintiffs have not previously dismissed any federal- or state-court suit based on or including the same claims or same parties as those presented in this case and that dismissal should be without prejudice.

Dated: January 13, 2023

Agreed by:

/s/ J. Michael Becher

J. Michael Becher, Esq. (WVSB #10588)

Joseph M. Lovett, Esq. (WVSB #6926)

Appalachian Mountain Advocates
P.O. Box 507 Lewisburg, WV 24901
Telephone: (304) 645-9006
Email: jlovett@appalmad.org
Email: mbecher@appalmad.org

Brian A. Glasser, Esq. (WVSB#6597)
John W. Barrett, Esq. (WVSB#7289)
BAILEY & GLASSER, LLP
209 Capitol Street
Charleston, West Virginia 25301
Telephone: (304) 345-6555
Facsimile: (304) 342-1110
Email:
Bglasser@baileyglasser.com
Email:
Jbarrett@baileyglasser.com

Attorneys for Plaintiffs and Proposed Class

/s/ Jennifer J. Hicks

Jennifer J. Hicks (WVSB #11423)
BABST, GALLAND, CLEMENTS & ZOMNIR, P.C.
300 Summers Street, Suite 1000
Charleston, WV 25301
Telephone: (681) 205-8888
Facsimile: (681) 205-8814
Email: jhicks@babstcalland.com

Mark K. Dausch (WVSB #11655)
BABST, GALLAND, CLEMENTS & ZOMNIR, P.C.
Two Gateway Center, 6th Floor
603 Stanwix Street
Pittsburgh, PA 15222
Telephone: (412) 394-5655
Email: mdausch@babstcalland.com

*Counsel for EQT Production Company;
EQT Production HTW, LLC; EQT Energy, LLC;*

***EQT Investment Holdings, LLC; EQT Gathering, LLC;
EQM Midstream Partners LP; EQT Midstream Partners
LP; EQT GP Holdings, LP; and EQT Corporation.***

/s/ Daniel T. Donovan

Daniel T. Donovan

Kirkland & Ellis, LLP

1301 Pennsylvania Avenue, N.W.

Washington, DC 20004

(202) 389-5000

Fax: (202) 654-9586

Email: daniel.donovan@kirkland.com

Howard M. Persinger, III (WVSB #6943)

PERSINGER & PERSINGER, L.C.

237 Capitol Street

Charleston, WV 25301

Telephone: (304) 346-9333

Facsimile: (304) 346-933 7

Email: hmp3@persingerlaw.com

***Counsel for Defendants Diversified Energy Company,
PLC; Diversified Gas & Oil, PLC; Diversified
Production LLC; Diversified Gas & Oil Corporation;
Diversified Oil and Gas LLC; and Alliance Petroleum
Corporation.***

**IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF WEST VIRGINIA
WHEELING DIVISION**

MARK MCEVOY, et al., individually and
on behalf of a proposed class,

Plaintiffs,

v.

Civil Action No. 5:22-cv-171
The Honorable John P. Bailey

DIVERSIFIED ENERGY COMPANY PLC,
et al.,

Defendants.

CERTIFICATE OF SERVICE

I, J. Michael Becher, hereby certify that on January 13, 2023, I caused to be filed the foregoing with the Clerk of the Court using the CM/ECF System, which caused a true and accurate copy of such filing to be served upon all attorneys of record.

/s/ J. Michael Becher